

**COUNCIL WORK SESSION
MONDAY, AUGUST 23, 2010**

6:30 P.M. PROMPT

- / DISCUSSION OF AGENDA
- HOUSING PROGRAM – PHIL SEYBOLDT
- / DECISION OF PLANNING COMMISSION – HULL & ASSOCIATES – PHIL SEYBOLDT
- / COMPUTER SYSTEM UPGRADES
- RESULTS OF BOND RATING

Bedford City Council met in a work session at Bedford City Hall on Monday, August 23, 2010 at 6:30 p.m.

Present: Council Members: Mayor Dan Pocek, Warner Batten, Stan Koci, Paula Mizesak, Marilyn Zolata, Greg Pozar, Don Saunders. Also Present: Clerk of Council Kathleen Lynch. Administration: City Manager Henry Angelo, Law Director Ken Schuman and Building Commissioner Phil Seyboldt.

Mayor Pocek began the Work Session with the discussion of the Regular Meeting agenda.

Mr. Angelo said Ordinance No. 8682-10 is an agreement with the Cuyahoga County Forensic Science Lab. Currently, the Police Department sends all of its physical evidence to BCI, but the wait time for the results can be several months. By joining this consortium with other cities, it will expedite the results and cost \$7,500 annually.

Councilman Pozar asked what it costs the City to use BCI? Mr. Angelo said nothing, but they are so bogged down with cases that it really is a hindrance while conducting investigations.

Mr. Gambosi said Ordinance No. 8683-10 and 8684-10 are assessing properties of those that had their grass cut by the City or those that are delinquent on their water bills.

Mr. Angelo said Ordinance No. 8685-10 is the contract for the resurfacing of Woodrow and Adams, the low bidder was C.A. Agresta at approximately \$307,000.

Mr. Schuman said Ordinance No. 8686-10 is assessing the property at 78 W. Grace for criminal activity.

Ordinance No. 8687-10 is for the Sweepstakes Terminal Café chapter in the codified ordinances. Mr. Angelo said this was discussed at the previous work session and there has been several inquiries about these establishments. It could generate revenue for the City and with this ordinance the City would be able to closely monitor them.

Mr. Schuman has researched this item, and it has been determined legal. It is better to regulate them stringently then not allow them.

Councilman Pozar asked about the appeals that are pending in Summit County on these types of establishments. Mr. Schuman said the Judge in the Toledo case has said it was legal and the Summit County case is still pending, but it will be difficult to keep them out of cities.

Councilman Saunders said these businesses cause trouble. Mr. Schuman said that is not what he has heard, he has heard they are frequented mostly by seniors. Mr. Angelo said the permit fee would be \$5,000 every year for the establishments and it would also require certification of all machines. Mr. Schuman said Council could decide if they want a higher fee.

Mr. Seyboldt said by putting the ordinance in place it will allow the City to determine where or where not to allow these establishments. The ordinance currently states they are not allowed in a residential or historic district. Discussion was concluded.

Mr. Schuman said Ordinance No. 8688-10 is a new chapter in the codified ordinances for the new flood plain requirements per the EPA. It will allow certain people the opportunity to get flood insurance.

Councilman Pozar asked if the whole City becomes a flood plain with this new change? Mr. Schuman said no.

Mr. Schuman said Ordinance No. 8689-10 is amending Chapter 133 of the codified ordinances in regards to the City's short term investments. Mr. Gambosi will be able to make the change from 2 years to 5 years, because of the economy.

Mr. Gambosi said Ordinance No. 8690-10 is an appropriation ordinance that is necessary for the street lighting assessment that was passed at the last meeting and the NSP program additional funds.

Both Ordinances 8691-10 and 8692-10 are for repairs that were needed at Bedford Municipal Court.

Mr. Schuman said Ordinance No. 8693-10 is declaring the property at 42 Harrison a nuisance. This property has been a problem for quite some time and is in horrible condition. Mr. Seyboldt believes that there is a lien on the property for approximately \$35,000 for back taxes.

Mr. Angelo said Ordinances 8694-10 and 8695-10 are both demolitions. The properties are at 1275 Broadway and 22 Nordham. He received 5 bids on each property.

Ordinances 8696-10 through 8713-10 are all for the homes that are being repaired as part of the Neighborhood Stabilization Program. Mr. Angelo said all the bids for the work being done on the homes has been reviewed, and he recommends they all be passed tonight.

Mr. Schuman said Ordinances No. 8714-10 and 8715-10 are both for easements that are necessary for the new waterline on Solon Road. They are both owned by the same person and will cost the City \$500 apiece.

Mr. Angelo said Resolution No. 2433-10 is for the City to apply for a grant for a trail way that connects the Metro Parks through downtown Bedford. The City would need to commit 20% of the cost, but this resolution is to only apply for it.

Mr. Pozar said Resolution No. 2434-10 is what he asked to have put on the agenda in support of Arizona's immigration laws. There was no discussion on this matter.

The last item on the agenda is to accept the decision of the Planning Commission concerning solar energy. Mr. Schuman said solar energy consisting of solar panels, wind turbines is new and the City wants to be consistent when approving these. This application in particular was for Hull & Associates at Tinkers Creek Commerce Park. There were no objections by Ben Venue or Taylor Chair to have solar panels placed on their property.

Mr. Seyboldt said Hull & Associates received a \$400,000 grant and will be putting \$100,000 of their own money to have these installed. Mr. Seyboldt said the Planning Commission was going to be meeting in the next couple of weeks to discuss regulations for these new systems.

Discussion of the Regular Meeting Agenda was concluded.

The next item on the agenda was to discuss the Housing Program with Mr. Seyboldt. Mr. Seyboldt said the City was awarded an additional \$200,000 and all of the money has to be encumbered by August 31, 2010. This new money will allow the City to pay for marketing costs, utilities, taxes, etc. that are necessary to sell the houses.

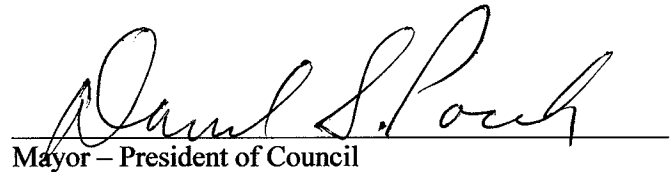
The next item on the agenda was the discussion of computer system upgrades. Mr. Gambosi said the City has been working with two companies, Devore Technologies and Simples, over the last 5 months studying the City's system. There will be new servers, and standardizing the system with Microsoft. The cost of hardware will be approximately \$44,000 and the cost of software \$30,000.

Mr. Angelo said this is critical for the City by increasing our effectiveness.

The last item on the agenda was the discussion of the results of the bond rating. Mr. Gambosi said the presentation went extremely well and that the City was upgraded with Standard and Poors and maintained with Moody's. He and Mr. Schuman will be traveling to St. Louis next week to sell the bonds and are hopeful to get interest rates at either 4% or lower.

Work Session was adjourned at 7:55 p.m.


Clerk of Council


Mayor – President of Council

1. CALL TO ORDER**2. PLEDGE OF ALLEGIANCE****3. ROLL CALL****4. APPROVAL OF MINUTES**

- a. Approval of Minutes of the Work Session of July 19, 2010
- b. Approval of Minutes of the Regular Meeting of July 19, 2010
- c. Approval of Minutes of the Work Session of July 26, 2010
- d. Approval of Minutes of the Special Meeting of July 26, 2010
- e. Approval of Minutes of the Special Meeting of August 2, 2010

5. PRESENTATIONS

- a. Proclamation of Sympathy to the family of Richard Kendzierski
- b. Proclamation to Lt. Brian Harting for completion of the Ohio Fire Executive Program

6. REPORTS

- a. City Manager
- b. Law Director
- c. Finance Director
- d. Council Reports

7. NEW BUSINESS

- a. Ordinance No. 8682-10, execute a Memorandum of Understanding with the Cuyahoga County Forensic Science Laboratory
- b. Ordinance No. 8683-10, levy assessments for delinquent water bills
- c. Ordinance No. 8684-10, levy assessments for grass cutting on various lots
- d. Ordinance No. 8685-10, contract with C. A. Agresta Construction Company (\$307,499.25)
- e. Ordinance No. 8686-10, certify to County Auditor costs associated with police response to 78 West Grace
- f. Ordinance No. 8687-10, enacting Chapter 749 of the Bedford Codified Ordinances entitled Sweepstakes Terminal Café
- g. Ordinance No. 8688-10, replacing Chapter 1955 of the Bedford Codified Ordinances with a new Chapter 1955
- h. Ordinance No. 8689-10, amending certain sections of Chapter 133 of the Bedford Codified Ordinances in connection with the deposit and investment funds of the City
- i. Ordinance No. 8690-10, amending Ordinance No. 8534-09 making additional appropriations for current expenditures
- j. Ordinance No. 8691-10, contract with J. V. Janitorial Services (\$6,009.00)
- k. Ordinance No. 8692-10, contract with J. V. Janitorial Services (\$2,182.00)
- l. Ordinance No. 8693-10, declare the property and structure at 42 Harrison Street a nuisance
- m. Ordinance No. 8694-10, order the demolition of the structure located at 1275 Broadway Avenue
- n. Ordinance No. 8695-10, order the demolition of the structure located at 22 Nordham Drive
- o. Ordinance No. 8696-10, contract with Cap Flooring to make various repairs at 775 Lincoln Blvd. (\$2,921.10)
- p. Ordinance No. 8697-10, contract with Arco Comfort Air to make various repairs at 775 Lincoln Blvd. (\$5,335.00)
- q. Ordinance No. 8698-10, contract with Complete Lawn and Yard Service for various landscaping services at 775 Lincoln Blvd. (\$1,950.00)

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- ~~r.~~ Ordinance No. 8699-10, contract with Sirna Construction, Inc. to make various repairs at residence at 775 Lincoln Blvd. (\$1,160.00)
- ~~s.~~ Ordinance No. 8700-10, contract with Foam Crafters to install foam insulation at 831 Lincoln Blvd. (\$6,421.00)
- ~~t.~~ Ordinance No. 8701-10, contract with Tony Nero Cement to make various repairs at 831 Lincoln Blvd. (\$4,100.00)
- ~~u.~~ Ordinance No. 8702-10, contract with Caps Exterior Design to make various repairs at 831 Lincoln Blvd. (\$6,280.00)
- ~~v.~~ Ordinance No. 8703-10, contract with Andrews Door Service and Home Improvement to make various repairs at 831 Lincoln Blvd. (\$4,791.00)
- ~~w.~~ Ordinance No. 8704-10, contract with Pro Plum, Inc. to make various repairs at 831 Lincoln Blvd. (\$6,751.00)
- ~~x.~~ Ordinance No. 8705-10, contract with Barnes Roofing to make various repairs at 831 Lincoln Blvd. (\$5,575.00)
- ~~y.~~ Ordinance No. 8706-10, contract with Dawncos Heating and Air Conditioning to make various repairs at 831 Lincoln Blvd. (\$5,450.00)
- ~~z.~~ Ordinance No. 8707-10, contract with All Phase Service Company to make various repairs at 831 Lincoln Blvd. (\$7,500.00)
- ~~aa.~~ Ordinance No. 8708-10, contract with New Finish Painting and Decorating to make various repairs at 831 Lincoln Blvd. (\$12,925.00)
- ~~bb.~~ Ordinance No. 8709-10, contract with Northcoast Energy Masters, Inc. to make various repairs at 831 Lincoln Blvd. (\$3,290.00)
- ~~cc.~~ Ordinance No. 8710-10, contract with Andrews Door Service and Home Improvement to make various repairs at 831 Lincoln Blvd. (\$2,683.00)
- ~~dd.~~ Ordinance No. 8711-10, contract with Lewis Development and Maintenance Company to make various repairs at 831 Lincoln Blvd. (\$16,400.00)
- ~~ee.~~ Ordinance No. 8712-10, contract with Innovations to make various repairs at 831 Lincoln Blvd. (\$13,000.00)
- ~~ff.~~ Ordinance No. 8713-10, contract with Arco Comfort Air, LLC to install a condenser at 91 Tudor Avenue (\$1,490.00)
- ~~gg.~~ Ordinance No. 8714-10, easement agreement for the installation of a waterline
- ~~hh.~~ Ordinance No. 8715-10, easement agreement for the installation of a waterline
- ~~ii.~~ Resolution No. 2433-10, seek financial assistance through the Northeast Ohio Areawide Coordinating Agency for the Bedford Viaduct Multi-Recreational Trail Greenspace Conservation Program
- ~~jj.~~ Resolution No. 2434-10, in support of Arizona's Senate Bill 1070 - *read in its entirety*
- ~~kk.~~ Motion to accept the decision of the Planning Commission regarding the proposed installation of a solar energy system - *K+Z-7a11*

8. HEARING OF CITIZENS

9. ADJOURNMENT - *K+Z-7*

PLEASE TURN OFF ALL CELL PHONES BEFORE COUNCIL MEETING
(council minutes and agenda posted at www.bedfordoh.gov)

Bedford, Ohio

August 23, 2010

Bedford City Council met in regular session at Bedford City Hall on Monday, August 23, 2010. Mayor Pocek called the meeting to order at 8:00 P. M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten.

Motion made by Zolata seconded by Pozar to approve the minutes of the Work Session of July 19, 2010. The roll was called. Vote - Yeas: Koci, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Abstain: Mizesak. Motion carried.

Motion made by Batten seconded by Koci to approve the minutes of the Regular Meeting of July 19, 2010. The roll was called. Vote - Yeas: Koci, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Abstain: Mizesak. Motion carried.

Motion made by Koci seconded by Mizesak to approve the minutes of the Work Session of July 26, 2010. The roll was called. Vote - Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Saunders to approve the minutes of the Special Meeting of July 26, 2010. The roll was called. Vote - Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Koci to approve the minutes of the Special Meeting of August 2, 2010. The roll was called. Vote - Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

At this time Mayor Pocek and Councilwoman Zolata presented a proclamation of sympathy to the family of Richard Kendzierski. The proclamation was read in its entirety.

Mayor Pocek and Vice Mayor Koci presented Lt. Brian Harting of the Fire Department a proclamation for completing the Ohio Fire Executive Program. The proclamation was read in its entirety.

Lt. Harting thanked the citizens, they have always supported the members of the Fire Department. He thanked Mayor, Council and the City Administration for supporting and sponsoring him through the program. There were several projects and interviews required for the program. Lt. Harting thanked his co-workers, he couldn't do it without them. Lt. Harting introduced members of his family in the audience. He thanked his wife Kelly, who is expecting their first child in a couple of weeks. She helped him through the process tremendously.

Vice Mayor Koci said this is the caliber of people the City hires. He introduced former Chief Duber of the Fire Department, who helped created the program.

Mayor Pocek introduced Chief Nagy and Assistant Chief Solar who were in the audience. Those that work on our safety forces are top notch, they do an excellent job and he cannot say enough about them.

No report from the City Manager.

The Law Director said those that attend meetings on a regular basis know the City recently gave a presentation in Chicago for a bond rating. After the residents were kind enough to pass the levy in November, the City said they will put their money where their mouth is. There is \$5.1 million in improvements that will be done in the City, starting with 18 streets, many that are long overdue. There will be numerous improvements at the Waste Water Treatment Plant and other improvements on the water lines. The presentation is lengthy, taking months to get ready for. The City received an upgrade at Standard and Poor's, which essentially means the cost to the City of borrowing money goes down. When the City received the upgrade and a lower interest rate, the City will probably save about \$1.1 million over the term of the loan. It is a significant fact. Mr. Schuman gave the part of the presentation that stated how Bedford is and how the residents are, but these are people from Chicago and he doesn't know if they really understood the hometown atmosphere and total support the City receives from the residents. When it was found out that a levy was passed with the economic conditions, on the heel of a school levy and that it passed by 71%, it went a long way to fully understand the commitment that the administration has from the residents.

Mr. Schuman said although the City Manager, Finance Director, Economic Development Director and himself worked on the presentation together, the amount of work that Mr. Gambosi put into this is overwhelming. An official statement had to be created, a key document when bonds are being issued. Most of the time a law director has to spend several hundred hours working on this document with bond counsel, Mr. Gambosi puts in so many hours on his own that the document almost writes itself. It makes his job and the City Manager's job that much easier. The bond representatives were very impressed with the City. A community our size and with the commitment of the residents makes it that much easier to get a better bond rating. This allows the City to do the improvements we should be for the residents.

Mr. Schuman said when the City sold the hospital in 1993, the City committed to not spending that money. The City has not spent any of it to date. That is a phenomenal achievement, and shows the support and discretion Council has in their fiscal responsibility. Mr. Schuman was overwhelmed that the levy passed, and it is nice to see that it translates into a significant savings that allows the City to perform substantial capital improvements.

Mayor Pocek said the bond rating is so important to a community. It tells how solvent this City is. There are 57 communities in Cuyahoga County. The Mayor asked Mr. Gambosi who has a better bond rating? Mr. Gambosi said Westlake, Solon, Beachwood and the County itself. Mr. Gambosi said the City of Bedford stands very well compared to everyone. The rating is based upon stability and ability of the city to pay. With the commitment of the residents, in these times, it went a long way. Mr. Gambosi said Mr. Schuman said it best, it couldn't have gone any better.

Mr. Schuman said the City's bond counsel and investment banker told them several years ago that the City of Bedford would never get past a certain level on the bond rating. The City has far exceeded that.

Mayor Pocek said out of the 17 inner-ring suburbs, the City of Bedford is in the top. It says a lot for this Administration and Council.

Mr. Gambosi said in line with some of the programs implemented for the collection of taxes, there is another program starting. The city will be working with the Central Collection Agency, they collect for the City of Cleveland. It is a joint program that will tie our database with that of the Federal Government. The Central Collection Agency is the only agency allowed to have that information. They will be matching IRS returns with the City of Bedford income reported. Anything missing will then be noted and proceed with collections on our behalf for a slight fee.

Mayor Pocek received a letter from the Village of Oakwood Council President, it was read in its entirety. They thanked the City of Bedford for their assistance that occurred on I-271 on August 16, 2010. The Mayor asked Mr. Angelo to pass it along to the safety forces.

Mayor Pocek wished Councilman Saunders well in the upcoming primary for County Council. He supports him.

Councilman Saunders said there are no other candidates from this end of the County. He encourages everyone to get out and vote.

Councilman Saunders said school opens this week and Ward 6, during the first few weeks, to have juveniles in the area. He asked Mr. Angelo if the City would have extra police or auxiliary on patrol during the times after school? He also asked that curfews be enforced, which has been somewhat lax over the summer. The primary concern is in the Berwyn and Talbot area.

Mr. Angelo said it should be no problem, he asked if residents and members of Council could serve as an extra set of eyes and ears. The Chief has spoken to Mr. Angelo about what his plans are, he will have officers out.

Councilman Pozar said there are a number of cities across the country, especially in our area that are in a college class and what our presenters essentially did was go in front of a panel of professors that are nationally accredited. The presenters gave our dissertation for the City and the City is graded on how we have handled ourselves. Mr. Schuman said the City was told we would never be better than a "C" average, because you're a small city. This time, because of what the residents did and show of confidence they gave the Administration, we got an A+. The bond rating agency told Bedford, you are managing your affairs at a very solid rate when it comes to borrowing money. The City is proud of their accomplishments, proud of the way the residents supported it and the way we have held onto the money from the sale of the hospital. The cohesiveness of this City shows this. This Administration has been acknowledged for the professional way they run this City.

Councilwoman Mizensak thanked Mr. Schuman, Mr. Angelo and Mr. Gambosi for doing such a good job as Mr. Pozar eluded to. Although the Kendzierski family left, she wanted to extend her sympathy to them and congratulations to Lt. Harting on a job well done.

Mrs. Mizensak said the City had the new resident picnic on Sunday, August 15 at Ellenwood with the local ministers. It was very successful. She said there are a few more things coming up on the Square for the remainder of the year. She was proud to see the National Night Out, Target sponsors the event. This was the best one they have had.

Councilwoman Zolata said there were not as many new residents at the picnic as they would have liked, but it is going to become a yearly thing. The kudos need to go to the Mayor, who brought this group together with the ministers and priest in the City. They have been meeting since about March and putting together various programs. This Council is trying to maintain a quality of life here, and if we all work together it will be maintained. It was well attended. Mrs. Zolata said there was a segment on the nightly news about all the other cities experiencing water main breaks, and they do not know how to account for it, whether it's the heat. There were quite a few in Ward 3, but our Service Department handles those problems as soon as possible. She thanked the Service, Police and Fire Departments, all summer they have done a great job.

Mayor Pocek said the idea of the picnic was not his, but getting the ministers together was.

Councilman Koci said on Saturday he was privileged to step in for the Mayor to deliver a proclamation at the Flag Retirement Ceremony on the Square. It is unfortunate again that there is no newspaper, it was not that well attended, but it was solemn and a moving experience. There is a whole ceremony where they cut the flags into strips, and they explain what each stripe means. Our police officers were there and they did a rifle volley?? and the Sheriff's Department sent bag pipers down. It was just a great ceremony and he will make sure he is there next year, and he hopes more residents will be there. The local boy scouts led the ceremony.

Mr. Koci said in Ward 2, Wellmon and Archer are being repaved. The residents are complimenting how well the work is being done and the workers doing it. They have been very professional. When there was a crew doing work for the sidewalk program, a resident told him that the language they used was atrocious but these employees were more than professional. They were polite to the children, waving to them, they were gentlemen the whole time.

Councilman Batten said the Police Department did a traffic survey on Grand Blvd once before the construction on Rockside Road and one after it began. Each survey was conducted for a one week period. The pre-construction survey said: the average number of cars per day was between 477 and 621, for a total 3,978 cars. The average speed for all cars was 24.9 miles per hour, but 85% of the cars had an average speed of 31 miles per hour. There was one car at over 50 miles per hour and seven cars over 45 miles per hour. After construction on Rockside began the survey said: the average number of cars per day was between 515 to 870, for a total of 5,126 cars. The average speed for all cars was 25.1 miles per hour, but 85% of the cars had an average speed of 30 miles per hour. There was a 28% increase in traffic on Grand Blvd.

Mr. Batten said the Bedford Oktoberfest will be the weekend of September 10 – 12, 2010. On Saturday, September 11 at 11:00 a.m. there is a parade from City Hall to the Square. Everybody is invited to join this, there are more of the schools joining this year. At 1:00 p.m. is the Bedford Citizen of the Year ceremony. In the audience there are six former Citizens of the Year. On Thursday night, Bedford Community Council had their meeting and selected the Citizen of the Year. He asked Mr. John Whittaker, the Vice-President of the Bedford Community Council to announce who received the award.

Mr. Whittaker said they had a pretty tough decision this year, but it was made easier because this person is so giving of their time and effort to make the community better, and that person is Marilyn Zolata.

Councilwoman Zolata said she never expected this, it is an honor she never thought she would ever have. She is the worker bee, not the honorary. She thanked everyone that made this possible. She loves this City, she has been here 50 years.

Motion made by Koci seconded by Batten to group Ordinances 8696-10, 8697-10, 8698-10, 8699-10, 8700-10, 8701-10, 8702-10, 8703-10, 8704-10, 8705-10, 8706-10, 8707-10, 8708-10, 8709-10, 8710-10, 8711-10, 8712-10 and 8713-10.

The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8682-10, an ordinance authorizing the City Manager to execute a Memorandum of Understanding with the Cuyahoga County Forensic Science Laboratory Committee and declaring an emergency was read by title only. Motion made by Batten seconded by Mizsak to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Saunders to place Ordinance No. 8682-10 on third and final reading and passed.

Mr. Schuman said the Police Chief sent him a correspondence that he communicated with the City Manager. At this time, when the City has criminal investigations and need scientific evidence it is sent to the Bureau of Criminal Investigation, BCI. The problem with BCI is sometimes the City will send them information and we will not get a report back for seven, eight or nine months. If there is a murder, which does not happen often, they do move those to the front of the line. The City needs the information as quickly as they can on other cases.

Mr. Schuman said this is a new organization, they have a guaranteed turnaround, on a specific number of days. There is an annual fee of \$7,500, and it is well worth it. It will assist our officers and numerous cases on a very expedient basis.

The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8683-10, an ordinance to levy assessments for delinquent water bills in the City of Bedford, Ohio and declaring an emergency was read by title only. Motion made by Pozar seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Mizesak to place Ordinance No. 8683-10 on third and final reading and passed.

Mr. Gambosi said these are the delinquent water bills in the City, they are assessed twice a year. They have to be down to the County Auditor by September to be on the tax duplicate in January.

Mr. Gambosi said the next ordinance concerns grass cutting that will be assessed and is only done once a year.

Councilwoman Zolata asked if most of these were vacant homes. Mr. Gambosi said yes.

The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8684-10, an ordinance to levy assessments for grass cutting on various lots in the City of Bedford, Ohio during the year 2010 and declaring an emergency was read by title only. Motion made by Koci seconded by Zolata to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Mizesak seconded by Saunders to place Ordinance No. 8684-10 on third and final reading and passed.

The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8685-10, an ordinance authorizing and directing the City Manager to enter into a contract with C.A. Agresta Construction Company being the lowest, responsive and responsible bidder and declaring an emergency was read by title only. Motion made by Batten seconded by Koci to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Pozar to place Ordinance No. 8685-10 on third and final reading and passed.

Mr. Angelo said this was a grant awarded to the City, the original estimate was \$315,000 for the improvement of Adams and Woodrow, it includes new street markers, historic markers and banners. The low bid was \$307,000, well within the estimate.

The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8686-10, an ordinance authorizing the City of Bedford to certify to the County Auditor the costs associated with police response to 78 West Grace as said homeowner is in violation of Bedford's Criminal Activity Nuisance Ordinance and declaring an emergency was read by title only. Motion made by Pozar seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Zolata to place Ordinance No. 8686-10 on third and final reading and passed.

Mr. Angelo said there was a family having some difficulties, and many police calls. The City did work with the ministers group and tried to work with the family. It did not work out the way we wanted. There are so many avenues we can work with the ministers and Mr. Angelo is very appreciative that they have gotten involved.

Mr. Schuman said the landlord/homeowner is responsible for paying the costs.

The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8687-10, an ordinance enacting Chapter 749 of the Bedford Codified Ordinances entitled "Sweepstakes Terminal Café" and declaring an emergency was read by title only. Motion made by Koci seconded by Mizesak to place Ordinance No. 8687-10 on first reading. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Saunders, Zolata, Batten. Nays: Pozar. Motion carried.

ORDINANCE NO. 8688-10, an ordinance replacing Chapter 1955 of the Bedford Codified Ordinances with a new Chapter 1955 and declaring an emergency was read by title only. Motion made by Koci seconded by Zolata to place Ordinance No. 8688-10 on first reading. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8689-10, an ordinance amending certain sections of Chapter 133 of the Codified Ordinances of the City of Bedford in connection with the deposit and investment funds of the City and declaring an emergency was read by title only. Motion made by Saunders seconded by Pozar to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizzsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Zolata to place Ordinance No. 8689-10 on third and final reading and passed.

Mr. Schuman said this regards the City's short term investments, right now the City can only go out 2 years on our short term investments. Based on the economic conditions now, the City is not receiving any significant interest on a two year account, this authorizes the City to go out for five years. This will allow Mr. Gambosi to invest in certain funds with a higher interest rate because it is a longer term.

The roll was called. Vote – Yeas: Koci, Mizzsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8690-10, an ordinance amending Ordinance No. 8534-09 making additional appropriations for current expenditures of the City of Bedford, Ohio during the year 2010 and declaring an emergency was read by title only. Motion made by Koci seconded by Batten to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizzsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizzsak to place Ordinance No. 8690-10 on third and final reading and passed.

Mr. Gambosi allows the City to adjust the budget throughout the year, this specifically contains reductions for the refuse contract and increasing appropriations for the auditor deductions. It is also includes the grant money the City is receiving and the capital improvements.

The roll was called. Vote – Yeas: Koci, Mizzsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8691-10, an ordinance authorizing the City Manager to enter into a contract with J.V. Janitorial Services, Inc. and declaring an emergency was read by title only. Motion made by Mizzsak seconded by Koci to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizzsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Batten to place Ordinance No. 8691-10 on third and final reading and passed.

Mr. Schuman said this ordinance and next ordinance are for the Bedford Municipal Court, they need certain painting and cleaning services done. The Court obtained informal bids and this was the company with the lowest bid, and several companies refused to bid the work.

The roll was called. Vote – Yeas: Koci, Mizzsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8692-10, an ordinance authorizing the City Manager to enter into a contract with J.V. Janitorial Services, Inc. and declaring an emergency was read by title only. Motion made by Koci seconded by Zolata to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizsak to place Ordinance No. 8692-10 on third and final reading and passed.

The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8693-10, an ordinance declaring the property and structure located at 42 Harrison Street (P.P. No. 812-04-001) a nuisance, ordering action and declaring an emergency was read by title only. Motion made by Pozar seconded by Mizsak to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Batten to place Ordinance No. 8693-10 on third and final reading and passed.

Mr. Schuman said the building is in deplorable condition, it is behind Zeppe's Pizza. The building was a subject of a litigation, there will be no accommodations for the owner and the City will be seeking a demolition as soon as the owner refuses to do any work on it.

The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8694-10, an ordinance authorizing the Building Commissioner to order the demolition of the structure located at 1275 Broadway Avenue (P.P. No. 814-23-036) with Ace Demo, Inc. and declaring an emergency was read by title only. Motion made by Zolata seconded by Koci to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Pozar seconded by Saunders to place Ordinance No. 8694-10 on third and final reading and passed.

Mr. Angelo said this ordinance and the next ordinance are for demolitions. The City received five bids for each demo and the price of demolitions have come down.

The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8695-10, an ordinance authorizing the City Manager to enter into a contract with Ace Demo, Inc. to demolish the structure at 22 Nordham Drive in the City of Bedford and declaring an emergency was read by title only. Motion made by Pozar seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Zolata to place Ordinance No. 8695-10 on third and final reading and passed.

The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8696-10, an ordinance authorizing the City Manager to enter into a contract with Cap Flooring to make various repairs to the residence at 775 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8697-10, an ordinance authorizing the City Manager to enter into a contract with Arco Comfort Air, LLC to make various repairs to the residence at 775 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8698-10, an ordinance authorizing the City Manager to enter into a contract with Complete Lawn and Yard Service to perform various landscaping services to the residence at 775 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8699-10, an ordinance authorizing the City Manager to enter into a contract with Sirna Construction, Inc. to make various repairs to the residence at 775 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8700-10, an ordinance authorizing the City Manager to enter into a contract with Foam Crafters to install foam insulations to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8701-10, an ordinance authorizing the City Manager to enter into a contract with Tony Nero Cement to make various repairs to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8702-10, an ordinance authorizing the City Manager to enter into a contract with Caps Exterior Design to make various repairs to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8703-10, an ordinance authorizing the City Manager to enter into a contract with Andrews Door Service and Home Improvement to make various repairs to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8704-10, an ordinance authorizing the City Manager to enter into a contract with Pro Plum, Inc. to make various repairs to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8705-10, an ordinance authorizing the City Manager to enter into a contract with Barnes Roofing, Inc. to make various repairs to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8706-10, an ordinance authorizing the City Manager to enter into a contract with Dawncos Heating and Air Conditioning to make various repairs to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8707-10, an ordinance authorizing the City Manager to enter into a contract with All Phase Service Company to make various repairs to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8708-10, an ordinance authorizing the City Manager to enter into a contract with New Finish Painting and Decorating to make various repairs to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8709-10, an ordinance authorizing the City Manager to enter into a contract with Northcoast Energy Masters, Inc. to make various repairs to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8710-10, an ordinance authorizing the City Manager to enter into a contract with Andrews Door Service and Home Improvement to make various repairs to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8711-10, an ordinance authorizing the City Manager to enter into a contract with Lewis Development and Maintenance Company to make various repairs to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8712-10, an ordinance authorizing the City Manager to enter into a contract with Innovations to make various repairs to the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

ORDINANCE NO. 8713-10, an ordinance authorizing the City Manager to enter into a contract with Arco Comfort Air, LLC to install a condenser at the residence at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only.

Motion made by Pozar seconded by Saunders to suspend the rule requiring the reading of said ordinances on three different days. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Koci to place Ordinance No. 8696-10, Ordinance No. 8697-10, Ordinance No. 8698-10, Ordinance No. 8699-10, Ordinance No. 8700-10, Ordinance No. 8701-10, Ordinance No. 8702-10, Ordinance No. 8703-10, Ordinance No. 8704-10, Ordinance No. 8705-10, Ordinance No. 8706-10, Ordinance No. 8707-10, Ordinance No. 8708-10, Ordinance No. 8709-10, Ordinance No. 8710-10, Ordinance NO. 8711-10, Ordinance No. 86712-10 Ordinance No. 8671-10 on third and final reading and passed.

The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Mr. Angelo said these are part of what is called the Neighborhood Stabilization Program, it is all grant money. The City was awarded another \$200,000 and the City is required to have the money obligated by August 30, 2010.

The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8714-10, an ordinance authorizing the City of Bedford to enter into an easement agreement for the installation of a waterline for the purpose of supplying water service to Bedford residents and declaring an emergency was read by title only. Motion made by Pozar seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Zolata to place Ordinance No. 8695-10 on third and final reading and passed.

Mr. Schuman said a new waterline is being put in on Solon Road, and more space is needed because it is a larger waterline. There was an individual that owns both parcels and has agreed to provide the City with the easement for \$500 for each property.

The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8715-10, an ordinance authorizing the City of Bedford to enter into an easement agreement for the installation of a waterline for the purpose of supplying water service to Bedford residents and declaring an emergency was read by title only. Motion made by Saunders seconded by Pozar to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Zolata to place Ordinance No. 8715-10 on third and final reading and passed.

The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2433-10, a resolution authorizing the City Manager to seek financial assistance through the Northeast Ohio Areawide Coordinating Agency (NOACA) for the Bedford Viaduct Multi-Recreational Trail Greenspace Conservation Program for the purposes of the Transportation Enhancement Program and declaring an emergency was read by title only. Motion made by Batten seconded by Koci to adopt Resolution No. 2433-10. The roll was called. Vote – Yeas: Koci, Mizsak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Councilman Pozar asked if he could comment on Resolution No. 2434-10 prior to it being read. Mr. Pozar sponsored this resolution, no other Council member here is responsible for it. It is something he brought to Council for a couple of reasons. Essentially, the fact is he is an American citizen and has to show his ID every time he is pulled over by the police, or make a department store purchase, or show up for a doctor's appointment. Mr. Pozar said if he uses his passport, which he has done for 20 years in other countries, if it wasn't stamped with a Visa, or if the Visa was one day over he was subject to arrest, and he didn't like that for many years but that is the Country's laws. Mr. Pozar said when he applied for any kind of insurance, filled out a college application, donated blood, getting prescription drugs, debit purchases, boarding pass for an airline and there are more instances, but as U.S. citizens we are asked to do this every day. There is a politically correct way to say "undocumented aliens", and there are many different opinions on the subject, but the bottom line is there is a problem on our border. The Federal Government is remiss in some states and counties are desperate and they are seeking support from around the Country. Mr. Pozar said our borders should be guarded as closely as other countries do around the world, and have the requirements to come in here a privilege that is earned, not something that is retroactively given. Mr. Pozar asked that this resolution be sponsored, he does not know if it has any support and he did not mean to step on anybody's toes politically or otherwise, it is just his sentiment. He encouraged his co-Council members to support that sentiment.

Councilman Koci agrees with Councilman Pozar's idea, but he does not think he can vote for it right now. He spoke with some of his constituents to see how they felt about it because he weighed heavily on this. What is going on in Arizona with the borders is horrific, but in speaking with his constituents they were not in favor with having our City tied up in this and he will respect their wishes and vote no on this.

Councilwoman Mizesak spoke with Councilman Pozar and she gives him credit for doing what he is doing. She will be voting no tonight, even though she as a citizen was born in another country of a soldier of World War II. Her papers were all in order, however when she went to the Social Security office she ran into a little glitch. The papers were good, everything was in order but the original birth certificate she had, because she was born in a house, was never stamped properly. So therefore, she and many other people born during this time do not have this legal seal. It wasn't on our government's part that there was a lack of doing this. Mrs. Mizesak took the opportunity to make sure everything was done properly, even though she is a registered voter, an American citizen, properly and honorably, she went to the State Department. It took six months to get the legal papers, but she knows in her heart that everything was done correctly. She feels when you come to our Country, and you cannot go to the next step of becoming a citizen of this great Country, then do not be here. If people are going to come here and make trouble, they need to keep it where they were before.

Councilman Pozar said the resolution will be read in its entirety, listen carefully to each item because that is what this yes or no vote will be about, especially the last one.

RESOLUTION NO. 2434-10, a resolution in support of Arizona's Senate Bill 1070 which was amended by Arizona House Bill 2162 was read in its entirety. Motion made by Pozar seconded by Koci to adopt Resolution No. 2434-10. The roll was called. Vote – Yeas: Pozar. Nays: Koci, Mizesak, Pocek, Saunders, Zolata, Batten. Motion failed.

Mr. Angelo said the Planning Commission met last week and recommended that Hull & Associates be allowed to install solar panels on their site. They are receiving a grant to do this, for about \$400,000 and putting \$100,000 of their own money in. The Planning Commission will be meeting again to have zoning regulations dealing with this. Where Hull & Associates are located, nobody is objecting.

Mayor Pocek said Hull & Associates is located in Tinkers Creek Commerce Park.

Motion made by Koci seconded by Zolata to accept the decision of the Planning Commission regarding proposed installation of solar energy system. The roll was called. Vote – Yeas: Koci, Mizesak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Mayor Pocek said that concluded the business portion of the meeting and asked if in anyone in the audience had any comments.

Jean Sapir, Branch Manager of the Southeast Branch of the Cuyahoga County Public Library, congratulated Councilwoman Zolata on becoming Citizen of the Year, it is well deserved. She gave an update on the Southeast Branch, it has been a very productive and busy summer. Circulation and attendance figures continue to increase. Ms. Sapir discussed the various programs the library will be having this fall. They will be open on Sunday again, beginning the Sunday after Labor Day. They will also be able to accept passport applications. They are offering a series of classes for small businesses, and library resources for students, primarily adult students. A grant proposal writing and budgeting program will be offered. Ms. Sapir said a computer skill class will be offered to seniors.

John Whittaker, 126 Garden, is disappointed the rest of Council did not vote in support of the resolution Councilman Pozar brought forth. It is so important that the Federal Government do their job to protect our borders, and they haven't done it in 20 years and now it is falling on the states. The states are trying to do something about it and the Federal Government is saying no. Mr. Whittaker said that in the Plain Dealer it is being reported that we need to provide people a Spanish ballot. That is crazy, this is America, English is our national language, learn it if you're going to be here.

Kathy Williams, 491 Lamson, noticed on the corner of East Glendale and Broadway, since the no parking sign has been removed, if there is somebody that parks there at the corner, you cannot get out going north. The fence is blocking your vision, and then there are vehicles parked all the way to the corner. That is an accident waiting to happen, she has had a couple of close calls when she is inching forward.

Mayor Pocek asked Mr. Angelo why the sign was removed. Mr. Angelo said it has not been removed since March. Ms. Williams noticed there was no sign when she started walking. Mr. Angelo said a resident did call him on this, but he does not have an answer tonight.

Ms. Williams is very disheartened by the fact that the City is going to have Caribbean voodoo on the Square this coming Saturday. She understands that it is their Constitutional right for assembly. Her question is if there will be police presence the complete 10 hours the Pagan Pride Day is occurring, to make sure there are no animals on the Square.

Mr. Angelo is not sure if it will be for the entire 10 hours, but there will be a combination of auxiliary and a full-time officer.

Ms. Williams said regarding the incident that happened in Solon, the house with all the dogs, in the fall newsletter could there be information about our ordinance that states only 2 animals are allowed. On her street there is a home that has three dogs. The last newsletter had the information about pit bulls having to be muzzled.

Mr. Angelo said it will be included in the newsletter.

Brenda Flask, 25 E. Glendale, said the new contractor J&J Refuse is not working out very well for her. The first week she received a letter stating her pick-up day was Tuesday, so Monday she dragged her garbage out. She sits on the porch a lot because she is disabled now, and a garbage truck went by and then another garbage truck came by, looked at her mother-in-law's garbage, her daughter's garbage and her garbage and drove away. At around 5:00 p.m. she went out and all the garbage was still out there. Ms. Flask called the company and the individual she spoke with said they did not have a street by that name listed for Bedford. She was told if they don't pick it up today then maybe they will pick it up tomorrow. Ms. Flask told the individual that the City of Bedford has an ordinance that if garbage is left out you can be cited. She was told if she did get cited to tell the City just to call them and they would take care of it. She cannot be dragging garbage back and forth, so she left it out there. J&J did not show up on Tuesday, but came on Wednesday, so she called City Hall to find out which day was really her day for pick-up. Ms. Flask was told the City doesn't have anything to do with that, the company is new and to just try and play it by ear. She called J&J back and asked them what day her pick-up was, and this went on for almost three weeks. By the third week, the lady from J&J told her try Wednesday and asked Ms. Flask to tell those on her street that they will all be on Wednesday now. She asked the J&J employee if they could send out a letter to the residents, and the employee said they don't have their names. Ms. Flask said there was a letter sent the first time and the employee responded that must have come out of their Dover office so just go tell her neighbors. Although there are only three people on the street, it is not her job. When Ms. Flask lived in Twinsburg, J&J did the refuse collection there and she had to pick up her garbage cans out of a ditch every week. Nobody ever received a letter changing the pick-up day.

Mr. Angelo asked Ms. Flask for her phone number, this is the first he has heard of this. He will call her after he speaks with J&J, but what she went through is ridiculous. Mr. Angelo said overall the comments have been positive about J&J.

Nancy Kusek, 99 Wheelock, has lived here for 21 years, which isn't long compared to a lot of people here, but she has never complained, never brought a problem to City Hall. She believes it is very obvious that the Illuminating Company caused the problems in April, and she does not know why the City has not done anything. At the last meeting, she brought up the City filing a formal complaint against them. The man from the Public Utilities Commission told her that other cities, such as Solon, Parma and Shaker Heights have filed a formal complaint for their residents when they have had problems. She asked if the City has looked into doing this or investigated it at all.

Mr. Schuman said the City cannot involve itself in a lawsuit. Ms. Kusek said it is not a lawsuit, it is a formal complaint with the Public Utilities Commission. They then have an arbitrator there on both sides, one for the utility company and one for the City and they try to come some sort of agreement. It is not like going to a regular court.

Mr. Schuman said he will have to contact the Public Utilities Company. Ms. Kusek said Mr. Dwayne Roberts from the Public Utilities Commission told her many cities have done this, and usually that is the only way to receive any compensation. Mr. Schuman is not familiar with the procedure and would need to contact PUCO directly. She has been getting information together on this. Ms. Kusek also spoke with Joe Mestnik of the School Board, and she was told that the school had settled. She then spoke with Mr. Zgrabik and she was told that was not right, they had not done anything yet. She doesn't understand why there is such a run-around about it, and why everyone can't work together to get this resolved.

The Mayor said the City has spoken with the Illuminating Company numerous times. Mr. Angelo said the information Ms. Kusek has given he has relayed to the Illuminating Company.

Ms. Kusek has spoken with Mr. Romeo, a South Euclid councilman, because they had a similar event recently and he is working to get some type of resolve for the people in his city.

Mr. Angelo will call Mr. Roberts to see what information he can get from him.

Nancy Lachowski, 197 Wandle, said going to the post office, she uses North Park and you cannot see past the ornamental grass on the corner of Willis. It is difficult to make that turn. Mrs. Lachowski asked if there is any knowledge of when the railroad crossings will be repaired. The Mayor said the City was told it was supposed to be done this past spring. Mrs. Lachowski said it is getting worse. Mayor Pocek said the City has complied and are just waiting to hear from the railroad.

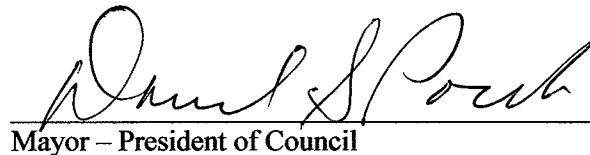
Pat French, 147 Paul, said the Flag Retirement Ceremony was a wonderful event and wanted to thank all those that participated. It was brought up at the ceremony that a special day was announced for Vietnam Veterans.

The Mayor said at the request of the service organizations, that March 29 become Vietnam Veterans' Memorial Day. They are requesting this all around the nation. The significance of this date, is being the date the last combat unit vacated Saigon. They approached him about it and he declared that day, March 29 Vietnam Veterans' Day.

Mayor Pocek asked if there were any further comments. There being no reply, motion made by Koci seconded by Zolata to adjourn. The roll was called. Vote – Yeas: Koci, Mizensak, Pocek, Pozar, Saunders, Zolata, Batten. Nays: None. Motion carried unanimously.

Meeting adjourned at 9:49 P.M.


Clerk of Council


Mayor – President of Council